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11042 U.S. PRO

Practitioner's Docket No. 791_146 (CIP)

PATENT

NEW APPLICATION TRANSMITTAL

Box Patent Application
Assistant Commissioner for Patents
Washington D.C. 20231

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to **Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231** on May 30, 2001 under "EXPRESS MAIL" mailing label number **EL 80316 4800 US**.

Janet M. Stevens
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Transmitted herewith for filing is the patent application of:

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457-0022 JAPAN

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Title: LITHIUM SECONDARY BATTERY

1. Type of Application

This is a request for filing a CONTINUATION-IN-PART APPLICATION under 37 C.F.R. §1.53(b), of pending prior application:

Serial No.: 09/114,323 Prior Art Unit: 1741
Filed: July 13, 1998 Prior Examiner: Jonathan S. Crepeau
Title: LITHIUM SECONDARY BATTERY
Inventors: Hiroshi NEMOTO, Teruhisa KUROKAWA and Kenshin KITO.

2. Papers enclosed

A. Required for filing date under 37 CFR 1.53(b) (Regular) are:

- 8 Page(s) of Specification
- 3 Page(s) of Claims
- 1 Page(s) of Abstract
- 2 Sheets of Formal Drawings (Figs. 1-3)

09/870372
05/30/01
JC821 U.S. PRO

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B. Other Papers Enclosed

- ☒ A Patent Application Bibliographic Data
☐ A Preliminary Amendment

3. Additional Papers to Follow Under Separate Cover

- ☒ A combined Declaration and Power of Attorney
☒ An Assignment Transmittal and Assignment of the invention to
NGK Insulators, Ltd.
☒ An Information Disclosure Statement
☒ PTO Form-1449

4. The correspondence address for this application is:

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5. Relate Back**A. 35 U.S.C. 119(e)**

- ☐ Priority of provisional application Serial No. , filed , is hereby claimed under 35 U.S.C. §119(e).

B. 35 U.S.C. 120, 121 and 365(c)

- ☒ Priority of said prior application 09/114,323, filed July 13, 1998, is hereby claimed under 35 U.S.C. §120.

C. 35 U.S.C. 119 Priority Claim for Prior Application

- ☒ Priority of foreign application(s) is hereby claimed under 35 U.S.C. §119 as follows:

Japanese Application 9-202963 filed July 29, 1997
 Japanese Application 9-331537 filed December 2, 1997

- ☒ Certified copies of the above corresponding foreign applications were filed in prior application Serial No. 09/114,323.
☐ A certified copy of the above corresponding foreign application is filed herewith.

6. ☐ Amend the specification by inserting after the title and before the first line the sentence:

7. Small Entity Status

☐ Applicant(s) claim(s) small entity status. See 37 CFR § 1.27.

8. Inventorship Statement

The inventorship for all the claims in this application are:

☒ the same.

☐ not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,

☐ is submitted.

☐ will be submitted.

9. The filing fee has been calculated as shown below:

A.	Filing Fee	
	<input checked="" type="checkbox"/> Original Patent Application	\$ <u>710.00</u>
	<small>(37 C.F.R. 1.16(a) --\$710.00, Small Entity--\$355.00)</small>	
B.	Fees for Claims (19 Claims; 2 Indep.)	
	<input type="checkbox"/> each independent claim in excess of 3	\$ <u>.00</u>
	<small>(37 C.F.R. 1.16(b) --\$80.00; small entity--\$40.00)</small>	
	<input type="checkbox"/> each claim in excess of 20	\$ <u>.00</u>
	<small>(37 C.F.R. 1.16(c) --\$18.00; small entity--\$9.00)</small>	
	<input type="checkbox"/> multiple dependent claim(s)	\$ <u>.00</u>
	<small>(37 C.F.R. 1.16(d) --\$270.00 small entity--\$135.00)</small>	
C.	Surcharge fees	
	<input checked="" type="checkbox"/> late payment of filing fee	\$ <u>130.00</u>
	<small>(37 C.F.R. 1.16(e) --\$130.00, small entity--\$65.00)</small>	
	and/or	
	<input checked="" type="checkbox"/> late filing of original declaration or oath	\$ <u>.00</u>
	<small>(37 C.F.R. 1.16(e) --\$130.00, small entity--\$65.00)</small>	
	<small>NOTE: If both the filing fee and declaration or oath were missing from the original papers, only one surcharge fee for both need be paid 37 C.F.R. 1.16(e)</small>	
D.	<input type="checkbox"/> Fee for processing an application filed with a specification in a non-English language	\$ <u>.00</u>
	<small>(37 C.F.R. 1.17(k) and 1.52(d) --\$130.00)</small>	
E.	<input type="checkbox"/> Assignment Fee	\$ <u>40.00</u>
	Total Fees Due	\$ 880.00

- ☐ A check in the amount of _____ is enclosed.
- ☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446. A duplicate copy of this sheet is enclosed.
- ☐ Any additional filing fees required under 37 CFR 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.

~~Respectfully submitted,~~

May 30, 2001

Date _____

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